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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,) No. CR 10-00604 DLJ
12 Plaintiff,) STIPULATION AND ORDER
13 vs.) CONTINUING HEARING DATE AND
14) EXCLUDING TIME UNDER THE SPEEDY
15 JUAN MANUEL FLORES,) TRIAL ACT
16 Defendants.)
16 _____)

STIPULATION

18 Defendant Juan Manuel Flores, by and through Assistant Federal Public Defender Varell
19 L. Fuller; and the United States, by and through Assistant United States Attorney Jeffrey B.
20 Schenk, hereby stipulate that, with the Court's approval, the status hearing currently set for
21 Tuesday, February 22, 2011 at 9:00 a.m., shall be continued to Tuesday, March 29, 2011, at 9:00
22 a.m.

23 The reason for the continuance is that the defense requires additional time to complete its
24 investigation and research with respect to Mr. Flores safety valve eligibility.

25 For the foregoing reasons, the parties jointly request and agree to an exclusion of the time
26 between February 22, 2011, and March 29, 2011, under the Speedy Trial Act, 18 U.S.C. §

1 3161(h)(7)(A) and (B)(iv), for effective preparation by defense counsel.

2 IT IS SO STIPULATED.

3 Dated: February 16, 2011

4 _____/s/_____
5 VARELL L. FULLER
Assistant Federal Public Defender

6 Dated: February 16, 2011

7 _____/s/_____
8 JEFFREY B. SCHENK
9 Assistant United States Attorney

10 **ORDER**

11 GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY
12 ORDERED that the hearing currently set for Tuesday, February 22, 2011, shall be continued to
13 Tuesday, March 29, 2011, at 9:00 a.m.

14 THE COURT FINDS that failing to exclude the time between February 22, 2011, and
15 March 29, 2011, would unreasonably deny defense counsel reasonable time necessary for
16 effective preparation, taking into account the exercise of due diligence. See 18 U.S.C. §
17 3161(h)(7)(B)(iv).

18 THE COURT FURTHER FINDS that the ends of justice served by excluding the time
19 between February 22, 2011, and March 29, 2011, from computation under the Speedy Trial Act
20 outweigh the interests of the public and the defendant in a speedy trial.

21 THEREFORE, IT IS HEREBY ORDERED that the time between February 22, 2011, and
22 March 29, 2011, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. §
23 3161(h)(7)(A).

24 IT IS SO ORDERED.

25 Dated: February 17, 2011

26 
THE HONORABLE D. LOWELL JENSEN
United States District Court Judge